

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

In re:) Chapter 11
)
Romeo Iusco and) The Honorable Jacqueline Cox
Monica Iusco)
)
Debtor.) Case No. 09-41945
)
) Hearing: November 16, 2011 at 9:30 AM

NOTICE OF MOTION

To: See attached service list

PLEASE TAKE NOTICE that on **November 16, 2011 at 9:30 AM**, the undersigned will appear before the Honorable Judge Jacqueline Cox, Bankruptcy Judge, in Courtroom 619, Dirksen Federal Building, 219 S. Dearborn, Chicago, Illinois the Bankruptcy Court for the Northern District of Illinois, Eastern Division, and shall then and there present the Debtors' **MOTION FOR ENTRY OF A FINAL ORDER AND DEECREE CLOSING CHAPTER 11 CASE**, a copy of which is enclosed herewith and served upon you.

/s/ Michael V. Ohlman

Forrest L. Ingram #3129032
Michael V. Ohlman #6294512
Forrest L. Ingram P.C.
79 West Monroe, Suite 900
Chicago, Illinois 60603
(312) 759-2838

CERTIFICATE OF SERVICE

I, Michael V. Ohlman, an attorney, certify that I have served a true and correct copy of the above and foregoing notice and the documents to which it refers on those whose names appear on the attached services list by electronic case filing, as indicated on the list, on **October 19, 2011**, before the hour of 5 p.m.

/s/ Michael V. Ohlman

SERVICE LIST

Via CM/ECF

US Trustee

William T. Neary
Office of the United States Trustee
Northern District of Illinois
219 S. Dearborn St., Room 873
Chicago, IL 60604

Via U.S. Mail

Romeo and Monica Iusco
8651 Harms Road
Skokie, IL 60077

ACB American Inc
Po Box 2548
Cincinnati, OH 45201-2500

Devon Bank
6445 N. Western Ave.
Chicago, IL 60645-5494

US Bank NA.
c/o Ednond M. Burke
Chuhak & Tecson, PC
30 S. Wacker Drive
Suite 2600
Chicago, IL 60606-7512

ALBERT LAW FIRM P.C.
205 W. RANDOLPH ST., STE 920
Chicago, IL 60606-1814
6445 N. Western Ave Chicago, IL 60645-5590

ARNSTEIN & LEHR LLP
120 L RIVERSIDE PLAZA
SUITE 1200
Chicago, IL 60606-3910

Adelphia Adventures
5045 N. Harlem Ave.
Chicago, IL 60656-3501

Alex Johnson
c/o Howard L. Teplinsky
Ottenheiner Teplinsky Rosenbloom, LLC
750 Lake Cook Road, Suite 140
Buffalo Grove, IL 60089-2071

American Express
c/o Becket and Lee
P0 Box 3001
Malvern, PA 19355-0701

Ashland Condo Assn
3641-3643 N. Ashland
Chicago, IL 60613-5834

Aspire
P0 Box 105555
Atlanta, GA 30348-5555

Barclays Bank Delaware
Attn: Customer Support Dept
P0 Box 8833
Wilmington, DE 19899-8833

Blatt Hassenmiller
125 South Wacker Dr.
Suite 400
Chicago, IL 60606-4440

CACH, LLC
4340 S. MONACO ST.
2ND FLOOR
DENVER, CO 80237-3408

CANDICA L.L.C.
C/O WEINSTEIN AND RILEY PS
2001 WESTERN AVENUE, STE 400
SEATTLE, WA 98121-3132

CAPITAL ONE BANK USA, N.A.
BY AMERICAN INFOSOURCE LP AS
AGENT
PO Box 71083
Charlotte, NC 28272-1083

CARD SERVICES
P.O. BOX 13337
Philadelphia, PA 19101~3337

CARDMEMBER SERVICE
P.O. BOX 15153
Wilmington, DE 19886-5153

CIESLA & CIESLA, P.C.
836 SKOKIE BLVD.
Northbrook, IL 60062-4001

CITY OF CHICAGO
Corporate Counsel
30 N. LaSalle, #800
Chicago, IL 60602-3542

COM ED
P.O. BOX 6111
Carol Stream, IL 60197-6111

Capstone Financial, LLC
C/O The Albert Law Firm, P.C.
205 W. Randolph, #920
Chicago, IL 60606-1814

Chase Bank USA,N.A
C/ O Creditors Bankruptcy Service
P O Box 740933
Dallas,Tx 75374-0933

Citibank USA
Attn.: Centralized Bankruptcy
PO Box 20507
Kansas City, MO 64195-0507

City of Chicago
8034 Innovation Way
Chicago, 1160682-0001

City of Chicago Department of Water
Management
333 South State Street Suite LL10
Chicago, Illinois - IL 60604-3957

Collection Co. of US Cellular
7000 Lonwater Dr
Norwell, MA 02061

Commonwealth Edison Company
Bankruptcy Department
3 Lincoln Center
Oakbrook Terrace, IL 60181-4204

Cook County Treasurer
Law Department
118 N. Clark Street, Room 212
Chicago, IL 60602-1589

DEPARTMENT STORES NATIONAL
BARK/MACYS
NCO FINANCIAL SYSTEMS, INC.
P0 BOX 137
COLUMBUS, GA 31902-0137

First Commercial Bank
6945 N Clark St
Chicago, IL 60626-3298

GARY WEISS, PC
30 N, LASALLE ST.
Chicago, IL 60602-2590

Guadalupe Martinez
c/o Andrea M Duron
1735 North Ashland Ste 202
Chicago, IL 60622-1449

HSBC Bank Nevada, N.A, (Menards)
c/o Bass & Associates, P.C.
3936 E. Ft. Lowell Rd., Suite 200
Tucson, AZ 85712-1083

HSBC Card Services
PO BOX 37281
Baltimore, MD 21297-3281

Harris and Harris Ltd
222 Merchandise Mart Plz
Chicago, IL 60654-1103

INTERNAL REVENUE SERVICE
CENTRALIZED INSOLVENCY
OPERATIONS
PO BOX 21126
PHILADELPHIA PA 19114-0326

Illinois Department of Revenue
Bankruptcy Section
P.O. Box 64338
Chicago, IL 60664-0338

Illinois Department of Revenue
PC Box 19035
Springfield, IL 62794-9035

JAYENDRA PETER
3002 PRAIRIE KNOLL COURT
Houston, TX 77059-2805

KOHL'S/ CHASE
N56 W 17000 Ridgewood Dr
Menomonee Falls, WI 53051-7096

LTD Financial Services
7322 Southwest Freeway
Ste 1600
Houston, TX 77074-2053

LVNV FUNDING, LLC
PO Box 740281
Houston, TX 77274-0281

LVNV Funding LLC
Resurgent Capital Services
PO Box 10587
Greenville, SC 29603-0587

MACY/FDSB
Macy Bankruptcy
PO Box 8053
Mason, OH 45040-8053

PAUL MINAR
6 N Michigan Ave Unit 1107
Chicago, IL 60602-4891

PEOPLES GAS LIGHT AND COKE CO
130 E RANDOLPH DRIVE
CHICAGO, IL 60601-6207

People's Energy
130 S Randolph
Chicago, IL 60601-6302

Peoples Gas
C/O Bankruptcy Department
130 H. Randolph Drive
Chicago, IL 60601-6302

RICHARD ALAIMO
c/o ROACH JOHNSON & THUT
415 N. WASHINGTON, STE 103
Waukegan, IL 60085-5564

Capital One Bank
Att. TSYS Debt Management
PO Box 5155
Norcross, GA 30091

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

In re:)	Chapter 11
)	
ROMEO IUSCO and MONICA IUSCO)	The Honorable Jacqueline Cox
)	
Debtors.)	Case No. 09-41945
)	
)	Hearing: November 16, 2011 at 9:30 AM

**MOTION FOR ENTRY OF A FINAL ORDER AND DECREE CLOSING THE
CHAPTER 11 CASE**

NOW COMES the Debtors and Debtors in Possession Romeo Iusco and Monica Iusco (the "Debtors"), by and through their attorneys, Forrest L. Ingram, P.C., and hereby apply for entry of a final order and decree, closing the above captioned chapter 11 case. In support of this application, the Debtors state:

1. This Honorable Court has jurisdiction over this motion pursuant to 28 U.S.C. § 1334. This motion constitutes a core proceeding pursuant to 28 U.S.C. § 157(b)(2)(A) and (O). Venue is proper pursuant to §§ 1408 and 1409.
2. On November 5, 2009, the Debtors filed a voluntary case under chapter 11 the Bankruptcy Code.
3. The Debtors' plan of reorganization was confirmed on March 31, 2011.
4. Section 350(a) of the Bankruptcy Code provides that "[a]fter an estate is fully administered and the court has discharged the trustee, the court shall close the case."
5. Although the meaning of "fully administered" is not settled, courts have determined that it means "the point when the estate reaches substantial consummation as defined by Section 1101(2) of the Bankruptcy Code." *In re*

Wade, 991 F.2d 402, 407 n.2 (7th Cir. 1992). Section 1101(2) of the Bankruptcy Code provides that:

Substantial consummation means –
(A) transfer of all or substantially all of the property proposed by the plan to be transferred;
(B) assumption by the debtor or by the successor to the debtors under the plan of the business or of management of all or substantially all of the property dealt with by the plan; and
(C) commencement of distribution under the plan.

In addition, courts have directed that the following events should be considered when determining if an estate has been fully administered: “1) when the order confirming the plan has become final, 2) when deposits have been distributed, 3) when payments under the plan have been commenced, 4) when all motions, contested matters, and adversary proceedings have been resolved.” *Wade*, 991 F.2d at 407 n.2

6. The Debtors’ estate has been fully administered for the following reasons:
 - a. The order confirming the plan on March 31, 2011 has become final;
 - b. The Debtors have paid all of the administrative priority claims of the bankruptcy estate;
 - c. The Debtors have paid the Internal Revenue Services the total value of its Priority Claim. **Group Exhibit A.**
 - d. The Debtors have paid the Illinois Department of Revenue the total value of its Priority Claim. ***Id.***
 - e. are individuals with the principal address of which is 8651 Harms Road Skokie, IL 60077
7. Final payments to the General Unsecured Creditors will be made on or before March 29, 2015.
8. The Debtors are current on all amounts owed to the United States Trustee.

9. Since the Debtors are individuals, and their resources are limited, they ask this Court to close the case on November 29, 2011 to avoid incurring further costs associated with keeping a chapter 11 case open.

10. Pursuant to Local Rule 3022-1, notice of this motion has gone to all creditors.

WHEREFORE, the Debtor respectfully requests that this Honorable Court enter a final decree, closing the chapter 11 case. Debtors also ask for such further relief as may be just and appropriate.

Dated: October 19, 2011

Respectfully submitted,
ROMEO and MONICA IUSCO

By: /s/ Michael V. Ohlman
One of their attorneys

Michael V. Ohlman #6294512
Forrest L. Ingram #3129032
Forrest L. Ingram P.C.
79 West Monroe, Suite 900
Chicago, Illinois 60603
(312) 759-2838